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Date: June 30, 2003

Docket No.: 0020-5151P

MS PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a ☐ continuation ☒ divisional
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of
pending prior Application No. 10/234,326 filed on September 5,
2002, the entire contents of which are hereby incorporated by
reference,
by

Masanori WATANABE

for

SEMICONDUCTOR LASER AND FABRICATING METHOD THEREFOR

1. ☒ Enclosed is an application consisting of specification,
claims, declaration and drawings/photographs (if
applicable).
2. ☒ The filing fee has been calculated as follows:

		LARGE ENTITY		SMALL ENTITY	
BASIC FEE		\$750.00		\$375.00	
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE	
TOTAL CLAIMS	9-20 =	0	x 18 = \$0.00	x 9 = \$0.00	
INDEPENDENT CLAIMS	1-3 =	0	x 84 = \$0.00	x 42 = \$0.00	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$280.00	+ \$140.00	
		TOTAL	\$750.00	\$0.00	

3. ☒ A check in the amount of \$750.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. Amend the specification by inserting before the first line thereof the following:
- a. ☒ --This application is a ☐ continuation ☒ divisional ☐ continuation-in-part of co-pending Application No. 10/234,326, filed on September 5, 2002, the entire contents of which are hereby incorporated by reference and for which priority is claimed under 35 U.S.C. § 120; and this application claims priority of Application No. 2001-268786 filed in Japan on september 5, 2001 under 35 U.S.C. § 119.--
- b. ☐ --This application is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending Application No. 10/234,326, filed on September 5, 2002 and for which priority is claimed under 35 U.S.C. § 120. Application No. 10/234,326 is the national phase of PCT International Application No. PCT/_____/_____ filed on _____ under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference. This application also claims priority of Application No. _____ filed in _____ on _____ under 35 U.S.C. § 119.--

6. ☒ Enclosed is/are twenty-one (21) sheet(s) of formal drawings and/or photographs.
- 7a. ☐ A statement claiming small entity status was filed in prior Application No. 10/234,326 on _____. See the attached copy of the statement claiming small entity status.
- 7b. ☐ The current application qualifies for small entity status.
8. ☒ The prior application is assigned to Sharp Kabushiki Kaisha.
9. ☐ A Preliminary Amendment is enclosed.
- 10a. ☒ Priority of Application No(s). 2001-268786 filed in Japan on September 5, 2001 is claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on September 5, 2002.
- 10b. ☐ Priority of International Appln. _____ filed on _____ under the Patent Cooperation Treaty and _____ Application No. _____ filed in _____ on _____ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.
11. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
12. ☒ Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

or
Customer No. 002292
13. ☐ An extension of time for _____ () month(s) until _____ has been submitted in parent Application No. 10/234,326 in order to establish co-pendency with the present application.
14. ☐ Also enclosed herewith is the following:

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Charles Gorenstein, #29,271

CG/cb
0020-5151P

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Attachment(s)